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PATENT
ATTORNEY DOCKET NO. 08830/007001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Alasdair C. Steven
Serial No.: 08/837,301
Filed : April 11, 1997
Title : PHAGE DISPLAY OF INTACT DOMAINS AT HIGH COPY NUMBER

Art Unit:
Examiner:

Assistant Commissioner for Patents
Washington, DC 20231

RECEIVED
DEC 8 1998
OFFICE OF PETITIONS
DEPUTY A/C PATENTS

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Under 37 CFR §1.8(b) and §1.181, Applicant hereby petitions to withdraw the Notice of Abandonment mailed October 23, 1998, a copy of which is enclosed. The application was abandoned under 37 CFR § 1.135 for failure to respond to the Notice to File Missing Parts mailed June 17, 1997.

The undersigned, Applicant's attorney of record, first became aware of the abandonment on or around October 28, 1998, when the Notice of Abandonment was received, and submits that this petition to withdraw the Notice is being promptly submitted as required by 37 CFR § 1.8(b)(1).

The following documents are submitted under 37 CFR § 1.8(b)(2) as proof that a Response was timely filed on August 11, 1997:

1. A copy of the Response to Notice to File Missing Parts, including an executed certificate of mailing signed by Stephanie Sharrett on August 11, 1997.
2. A copy of the cancelled check and postcard stamped received by the Patent & Trademark Office Mailroom on August 15, 1997.

Date of Deposit

12/2/98

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Applicant submits that the Notice to File Missing Parts was timely filed and requests that the Notice of Abandonment be withdrawn.


The error may have arisen because, in the caption of Applicant's response to the Notice to File Missing Parts, the application was identified as having Serial No. 08/837,701, rather than as having Serial No. ~~08/837,701~~ Applicant's representative apologizes for the error.

No fees are believed due in connection with this request. If there are any fees, or any credits, please apply them to Deposit Account No. ~~06-1050~~

Respectfully submitted,

Date:

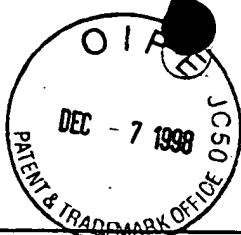
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La Jolla, CA 92037

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

C/ABLLC

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/837,301 04/11/97 STEVEN

08830/007001

RECEIVED

NZ12/1023

OCT 28 1998

FISH & RICHARDSON
4225 EXECUTIVE SQUARE SUITE 1400
LA JOLLA CA 92037

FISH & RICHARDSON, NOT ASSIGNED
LA JOLLA, CA

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DATE MAILED:

10/23/98

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53(f) or (g)
(Filing Date Granted)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 6-14-94.

- ☒ No reply was received.
- ☐ The reply received on _____ was untimely.
- ☐ The reply received on _____ was improper. The reply did not include:

- ☐ 1. The surcharge under 37 CFR 1.16(e) required for filing the basic filing fee or oath or declaration on a date later than the filing date of a nonprovisional application.
- ☐ 2. The surcharge under 37 CFR 1.16(i) required for filing the basic filing fee or cover sheet on a date later than the filing date of a provisional application.
- ☐ 3. The full amount of the basic filing fee under 37 CFR 1.16 (a), (f), (g), (k).

(Note: A nonprovisional application may not be relied on for benefits under 35 U.S.C. 120 and 37 CFR 1.78 unless the processing and retention fee set forth in 37 CFR 1.21(l) is paid within the one year period set forth in 37 CFR 1.53(f). A provisional application may not be relied on for benefits under 35 U.S.C. 119(e) and 37 CFR 1.78 unless the basic filing fee is paid).

- ☐ 4. The oath or declaration of all the inventors required under 37 CFR 1.63 for this nonprovisional application.

- ☐ The letter of Express Abandonment filed on _____ is acknowledged; however, the application is abandoned for failure to timely or properly reply to the Notice as indicated above.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

BEST AVAILABLE COPY

Docketed By Billing Secretary

Due Date: _____

Deadline: _____

Initials: _____

Customer Service Center

Initial Patent Examination Division (703) 308-1202

Docketed By Practice Systems

Action Code: Abandonment

Base Date: 10/23/98

Due Date: 12/23/98

Deadline: 11/23/98

PTD Error

FISH & RICHARDSON P.C.
3 FRANKLIN STREET
BOSTON, MA 02110

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PAY ONE HUNDRED THIRTY AND 00/100THS ----- DOLLARS

TO THE ORDER OF	DATE	AMOUNT
COMMISSIONER OF PATENTS AND TRADEMARKS	8/11/97	**130.00**

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FISH & RICHARDSON P.C.

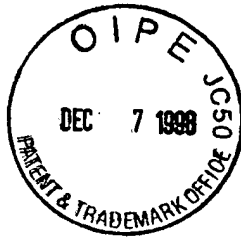
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BY

Edna Reston

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09-09-1997
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